

ESTTA Tracking number: **ESTTA673916**

Filing date: **05/22/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221476
Party	Defendant Karmic Labs, Inc
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Date	05/22/2015
Attachments	Karmic Answer to Opp re DASH mark (May 21, 2015).pdf(17643 bytes)

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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE DARK COIN FOUNDATION, INC., an Arizona
corporation

Opposer,

v.

KARMIC LABS, INC., a Delaware corporation

Applicant.

Opposition No.: 91221476

Application Serial No.: 86/377,359

Mark: DASH

**APPLICANT'S ANSWER TO OPPOSER'S
NOTICE OF OPPOSITION**

Applicant Karmic Labs, Inc. ("Applicant" or "Karmic Labs") respectfully files this
Answer to Opposer The Dark Coin Foundation, Inc.'s ("Opposer") Notice of Opposition
("Opposition"):

ANSWER

Response to Preamble

Applicant denies that Opposer will be damaged by Serial No. 86/377,359 and that the
same should be denied. Applicant admits that the mark DASH was filed on August 26, 2014 and
published for opposition on February 10, 2015 by Applicant Karmic Labs who is located at 1256
Folsom Street, San Francisco, California 94103. Applicant lacks knowledge or information
sufficient to form a belief about the truth of the remaining allegations in the Preamble of the

APPLICANT'S ANSWER TO OPPOSITION

Opposition, and therefore denies them.

Response to Grounds

1. Applicant admits the allegations in Paragraph 1 of the Opposition for the goods and services listed in Classes 9 and 36, but denies the remaining allegations in Paragraph 1 of the Opposition.

2. Applicant admits the allegations in Paragraph 2 of the Opposition.

3. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 3 of the Opposition, and therefore denies them.

4. Applicant denies the allegations in Paragraph 4 of the Opposition.

5. Applicant admits that it filed its application on August 26, 2014, but denies the remaining allegations in Paragraph 5 of the Opposition.

6. Applicant denies the allegations in Paragraph 6 of the Opposition.

7. Applicant denies the allegations in Paragraph 7 of the Opposition.

8. Applicant denies the allegations in Paragraph 8 of the Opposition.

9. Applicant admits that the goods in Serial No. 86/377,359 in Class 9 include, but are not limited to, debit cards and software for managing and conducting financial transactions. Applicant denies the remaining allegations in Paragraph 9 of the Opposition.

10. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 10 of the Opposition, and therefore denies them.

11. Applicant denies the allegations in Paragraph 11 of the Opposition.

Response to Prayer for Relief

Applicant denies the allegations in the Prayer for Relief of the Opposition and that Opposer is entitled to any relief sought relating to Serial No. 86/377,359.

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AFFIRMATIVE DEFENSES

Applicant asserts the following defenses, undertaking the burden of proof only as to those defenses deemed affirmative defenses by law, regardless of how such defenses are denominated herein. In addition to the defenses described below, Applicant specifically reserves the right to allege additional affirmative defenses that become known through the course of discovery.

First Affirmative Defense (Unclean Hands)

1. Opposer’s claims for relief, in whole or in part, are barred on the ground that the Opposer has acted with unclean hands.

DATED: May 22, 2015 VASQUEZ BENISEK & LINDGREN LLP

By: /s/ Eric Benisek
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **APPLICANT’S ANSWER TO OPPOSER’S NOTICE OF OPPOSITION** has been served on Opposer’s Attorney of Record by mailing said copy on May 22, 3015, via First Class Mail, postage prepaid to:

Michael Fedrick
Loza & Loza, LLP
305 N. Second Ave., #127
Upland, CA 91786-6064

Signature: /e/Eric Benisek